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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,878	11/13/2003	Shai Bar-Lavi	8039-1 DIV	2320
22150	7590	06/28/2006	EXAMINER	
F. CHAU & ASSOCIATES, LLC 130 WOODBURY ROAD WOODBURY, NY 11797			ALAM, UZMA	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/712,878	BAR-LAVI ET AL.	
	Examiner	Art Unit	
	Uzma Alam	2157	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 12-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

This action is responsive to the application filed on November 13, 2003. Claims 12-26 are pending. Claims 12-26 represent a method of linking a server to a user over a communication network.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 12-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Leeke et al. US Patent No. 6,587,127. Leeke teaches the invention as claimed including a method of operation of a server interacting with users to provide personalized content to each of the users.

As per claim 12, Leeke teaches a method for linking a server to a user over a communication network, comprising the steps of:

distributing a communication module to a user for installation at a computer of the user (an applet or plug in provided to the user; column 4, lines 53-67);

providing a desktop icon and a browser in the computer of the user upon installation of the communication module (browser and plug-in selected by user for audio capability; column 5, lines 33-46);

connecting the user to the server via the browser when the desktop icon is selected by the user (user initiated event transfers information from the server to the user; column 4, lines 56-67);

accessing a database on the server side to provide the server with information on the user (Customer ID information stored in a specific location on a database in the server; column 5, lines 49-67; column 6, lines 1-19, lines 29-50); and

communicating between the server and the user in real-time via the browser during the user's online session (monitoring user activity while user is connected to the server; column 7, lines 63-67; column 8, lines 1-31; column 8, lines 61-67; column 32, lines 64-67; column 33, lines 1-9).

As per claim 13, Leeke teaches the method of claim 12, wherein said step of distributing includes embedding the communication module in a multimedia medium, said multimedia medium includes stored entertainment content (user selects audio content; column 4, lines 56-60).

As per claim 14, Leeke teaches the method of claim 13, wherein the communication module is automatically installed on the user's computer when the entertainment content of the multimedia medium is accessed by the user (playing back audio content with a plug-in; column 4, lines 54-56).

As per claim 15, Leeke teaches the method of claim 12, wherein said step of distributing includes downloading the communication module from a website provided by the server (plug in and applets sent to user; column 4, lines 53-67; column 5, lines 33-35).

As per claim 16, Leeke teaches the method of claim 12, wherein said browser presents a pop-up-window upon selection of the icon (providing a pop-up menu; column 5, lines 26-30; column 27, lines 41-46).

As per claim 17, Leeke teaches the method of claim 16, wherein said window includes hyperlinking content provided by the server and by a sponsor (column 7, lines 45-54; column 33, lines 28-60).

As per claim 18, Leeke teaches the method of claim 16, wherein the window includes a profiling icon which, when accessed, presents a series of profile inquiry pages to develop a user profile (a customer ID is created in the database; column 6, lines 1-19; column 33, lines 21-26).

As per claim 19, Leeke teaches the method of claim 12, wherein the desktop icon changes state to alert the user that the server has a message for the user (column 8, lines 21-30; column 16, lines 43-67).

As per claim 20, Leeke teaches the method of claim 12, wherein the communication module sends a message to the server at a predetermined Internet address when the user

establishes connection to the communication network (the browser is accessed by the URL; column 4, lines 50-67; column 5, lines 1-5).

As per claim 21, Leeke teaches the method of claim 16, further including the step of monitoring all user actions in connection with the window in real time (monitoring the usage; column 6, lines 20-26, lines 57-67; column 7, lines 63-67; column 8, lines 1-31, lines 61-67; column 32, lines 64-67; column 33, lines 1-9).

As per claim 22, Leeke teaches the method of claim 21, further including the step of storing information on the user gathered from the step of monitoring in a database at a location specific to the user (the Customer ID is created in a specific location in the database; column 6, lines 1-19, lines 57-67; column 46, lines 56-67; column 50, lines 29-37).

As per claim 23, Leeke teaches the method of claim 16, wherein the window includes interactive content for facilitating interaction by the user with the server (column 33, lines 10-60).

As per claim 24, Leeke teaches the method of claim 23, wherein the interactive content is a quiz which when accessed and a correct answer is provided within a predetermined time, provides an award to the user (column 33, lines 10-60).

As per claim 25, Leeke teaches the method of claim 24, wherein the user is awarded with credits for use toward purchases on sites hyperlinked to sponsors of the server (column 33, lines 10-60).

As per claim 26, Leeke a multimedia medium having stored codes readable by a computer for executing method steps for installing a communication module in the computer, said multimedia medium further including entertainment content presentable from the computer, the method comprising:

installing the communication module in the computer upon presentation of said entertainment content by the computer (column 5, lines 33-46);

placing an icon on the desktop of the computer upon installation of the communication module (column 5, lines 33-46); and

communicating with a server at an URL address stored in said multimedia medium upon access of said icon by a user of the computer (column 7, lines 63-67; column 8, lines 1-31; column 8, lines 61-67; column 32, lines 64-67; column 33, lines 1-9).

### ***Conclusion***

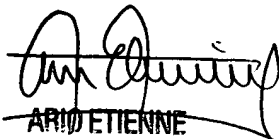
3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
4. Kelly et al. US Patent No. 6,047,292
5. Berry et al. US Patent No. 6,195,693
6. Roberts et al. US Patent No. 6,330,593
7. Reay et al. US Patent No. 6,882,979

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Tuesday 5:30 AM - 2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Uzma Alam  
Ua  
June 20, 2006

  
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